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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
3 -----x

4 UNITED STATES OF AMERICA,

5 v.

16 Cr. 749 (RA)

6 DONOVAN TODD,

7 Defendant.

Arraignment

8 -----x
9 New York, New York
10 July 18, 2018
11 9:10 a.m.

12 Before:

13 HON. RONNIE ABRAMS,

District Judge

14 APPEARANCES

15 GEOFFREY S. BERMAN
16 United States Attorney for the
17 Southern District of New York
18 BY: NATHAN REHN
19 Assistant United States Attorney

20 DEBRA COLSON
21 Attorney for Defendant

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1 (Case called)

2 MR. REHN: Good morning, your Honor.

3 Nathan Rehn, appearing for the United States.

4 THE COURT: Good morning.

5 MS. COLSON: Good morning, your Honor, Debra Colson,
6 for Mr. Todd.

7 THE COURT: Good morning.

8 And good morning to you Mr. Todd.

9 THE DEFENDANT: Good morning.

10 THE COURT: We are here to arraign you on the
11 superseding indictment, the most recent version of the charges
12 against you. They were filed on May 11, 2017.

13 The superseding indictment charges you with conspiracy
14 to commit wire fraud in violation of Title 18 United States
15 Code Section 1343 and 1349. There is also a forfeiture
16 allegation in it.

17 Have you seen a copy of this superseding indictment?

18 THE DEFENDANT: Yes.

19 THE COURT: Have you discussed it with your attorney?

20 THE DEFENDANT: Yes.

21 THE COURT: Do you want me to read it out loud here in
22 Court, or do you waive its public reading?

23 THE DEFENDANT: I waive it.

24 THE COURT: How do you plead to the charge?

25 THE DEFENDANT: Not guilty.

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1 THE COURT: What is the status of discovery with
2 respect to Mr. Todd?

3 MR. REHN: Your Honor, Mr. Todd was assigned counsel
4 when he was presented in magistrate court last week. We asked
5 for a drive counsel. Counsel just gave it to me. So we will
6 be loading it up and producing it hopefully this week,
7 certainly within the next few days.

8 THE COURT: OK. I understand that you both spoke to
9 my deputy about setting a conference on August 16.

10 Just to confirm, are both sides amenable to that?

11 MR. REHN: Yes, your Honor.

12 MS. COLSON: Yes, your Honor.

13 THE COURT: OK. Why don't we do that. We will have a
14 status conference on August 16 at 12. Is there anything else
15 we need to discuss today? Does the government seek to exclude
16 time under the Speedy Trial Act.

17 MR. REHN: Yes, your Honor. We will be producing
18 discovery to the defense as previously noted. I have also
19 already begun some disposition discussions with the defense.
20 So, to allow those conversations to continue, we would ask to
21 the Court to exclude time until the next conference.

22 THE COURT: Any objection?

23 MS. COLSON: No, your Honor.

24 THE COURT: I will exclude time from today until
25 August 16, 2018, pursuant to 18 United States Code, Section

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1 3161(h)(7)(A). In find that the ends of justice served by
2 excluding such time outweigh the interests of the public and
3 the defendant in a speedy trial because it will allow defense
4 counsel to determine whether there are any motions that can be
5 made and for the parties to discuss any possible disposition of
6 the case.

7 Is there anything else?

8 Any other applications for today?

9 MR. REHN: Nothing from the government.

10 MS. COLSON: No, your Honor.

11 THE COURT: All right. Thanks. Have a nice day.

12 (Adjourned)

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